

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

THE UNITED STATES for the use of)
GMW Fire Protection, Inc., an Alaska)
Corporation,)

Plaintiff,)

vs.)

KANIG'IQ CONSTRUCTION CO.,)
INC., an Alaska Corporation, and)
WESTERN SURETY COMPANY, a)
South Dakota Corporation,)

Defendants.)

Case No. A05-170 CI (TMB)

**DEFENDANTS' NOTICE TO COURT RE (JOINT) JURY INSTRUCTIONS,
SPECIAL VERDICT FORM, AND VOIR DIRE**

Defendants are mindful of the Court's indication in its Pre-Trial Order that the parties prepare and file joint jury instructions, a joint special verdict form, and joint voir dire questions (supplemented as necessary by separate request).

Defense counsel has encountered scheduling difficulties with Plaintiff's counsel and, as a result, anticipates that separate instructions, a special verdict form, and voir dire questions may be submitted.

As the undersigned understands it, Plaintiff's counsel was out of the office from on or about December 22, 2007 through January 1, 2008. Upon inquiry, Plaintiff's counsel was unavailable to meet at all today because Plaintiff's counsel had other appointments. See Affidavit of Counsel.

1 Defense counsel suggested a mutually agreeable extension of one, or at the most,
2 two days so that the parties could confer with respect to submissions which the Court
3 indicated should be joint submissions. Plaintiff's counsel declined to do so.

4 The undersigned apologizes to the Court for any inconvenience and hopes that
5 these matters can be resolved at the pre-trial conference on January 8, 2008.

6 DATED at Anchorage, Alaska this 2nd day of January 2008.

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8 EIDE & GINGRAS, P.C.
9 Attorneys for Defendants
10 Kanag'iq Construction Co., Inc.
And Western Surety Company

11 By: s/Thomas S. Gingras
12 Thomas S. Gingras
13 425 G Street, Suite 930
14 Anchorage, AK 99501
15 Phone: (907) 279-0930
16 Fax: (907) 279-0933
17 E-mail: tsgingras@egpalaska.com
18 Alaska Bar No. 7811098

17 CERTIFICATE OF SERVICE

18 I am a legal secretary employed by the law
19 firm of Eide & Gingras, P.C. That on this
20 2nd day of January 2008, I served

21 [x] Electronically

22 a true and accurate copy of the foregoing
23 document upon the following counsel of record:

24 Sarah J. Tugman, Esq.
25 2509 Eide Street, Suite 4
Anchorage, AK 99503

EIDE & GINGRAS, P.C.

By /s/Donna Charter

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